

MINUTES
TROUP COUNTY, GEORGIA
BOARD OF ZONING APPEALS & PLANNING COMMISSION
GOVERNMENT SERVICES CENTER COMMISSION MEETING ROOM
April 8, 2010

The Troup County Board of Zoning Appeals/Planning Commission (BZA/PC) met with the following six members present: Steve Daniels, Sandy Winslow, Marion Carson, Chairman, Rob Petry, Nancy Green, and Charles Milligan. Staff present included Scott Turk, Zoning Administrator; Nancy Seegar, County Planner; James Emery, County Engineer; and Kevin Kinnersley, Civil Engineer.

I. Approval of final agenda April 8, 2010.

II. Approval of minutes from March 11, 2010 meeting

Chairman Carson called the meeting to order at 10:00 am. The minutes from the previous meeting held on March 11, 2010 were approved with Steve Daniel making the motion and Sandy Winslow seconding the motion. The motion passed by unanimous vote of the six members present.

The final agenda was approved with one change. The variance request from Sandra Barnes was moved to be considered with her request for a zoning change. With that change, Steve Daniel motioned to approve with Sandy Winslow seconding. The agenda was approved by a unanimous vote of the members present.

III. MANUFACTURED HOME PLACEMENT

NONE

V. REZONING

1. Douglas Swanson
119 Airport Rd, Apt 17
LaGrange, GA 30240

LOCATION: (Old) US 27 (north of Hillcrest Rd), APN 064-4 -000-088A

REQUEST: Rezone 1+/- acre from General Commercial to Single-Family Medium Density.

The first item on the agenda was a request by Douglas Swanson to rezone one acre on Old U.S. 27, north of Hillcrest Road (Tax Parcel # 064-4-000-088A), from General Commercial to Single-Family Medium Density for the purpose of constructing a single family dwelling. There were no public comments and the unanimous decision from the BZA/PC was to recommend approval of the zoning request to the Board of Commissioners with the stated condition.

2. Sandra Barnes
1974 Salem Chipley Rd
Pine Mountain, GA 31822

LOCATION: 1974 Salem Chipley Rd, Pine Mountain

REQUEST: Rezone 1+/- acre to General Commercial from Agricultural with Special Exception Variance from road frontage).

The second item on the agenda was Sandra Barnes' request to rezone one acre of a seven-acre tract from Agricultural to General Commercial located at 1974 Salem Chipley Road for the purpose of opening a kennel/grooming business. The proposed location requires a Special Exception Variance from the road frontage requirements of the General Commercial zoning district. The location is proposed to be more than 500 feet off of the road – outside of the Scenic Corridor overlay. There was general discussion about why the property had to be rezoned to General Commercial for a kennel/grooming business. It was explained that a kennel/grooming facility was allowed as a special use in Agricultural zoning district but a 200' setback from all property lines was required for this particular use. It was further explained that Barnes' lot being just over 300' wide would not allow for the required distance from at least one property line for accessory structures. The zoning ordinance no longer allows for a [special exception] variance on the requirement for a 200' setback from all property lines for accessory structures.

It was therefore staff recommendation to approve the rezoning request with the restrictive condition the only commercial use allowed would be for a kennel/grooming operation.

There were two people speaking in opposition to this request, Leigh Ellen Earle speaking on behalf of her brother, Ron Roberts, stated that they were against the rezoning request because of the proposed use. Ms. Earle stated her brother, who resides in Atlanta, did not want dogs barking close to his property. Mr. Roberts owns the property next door [east] to the Barnes'. She further stated that Mr. Roberts was attempting to sell the property and was concerned the noise would impair the marketability of the property. She further clarified that her opposition is to the business and operation, regardless of its zoning status.

Gloria Livingston spoke against approval of the rezoning request because she and surrounding property owners (there were others in the audience who appeared to be property owners in the area) did not want any property zoned general commercial on that road or anywhere near Salem-Chipleigh Road regardless of conditions or restrictions placed on the use. Ms. Livingston also stated, however, they were not in opposition to the use, only the rezoning, even with the proposed strict condition on its use. She wanted to know if there was any way that Ms. Barnes could use her property the way she wanted too without rezoning the property commercial.

There were also questions and additional discussion from the BZA/PC about the necessity of zoning the parcel to general commercial. The BZA/PC requested that staff have the county attorney review the ordinance and see if a variance from the 200' setback were possible or if an amendment to the zoning ordinance to allow for the use without the rezoning. Sandy Winslow made a motion and Steve Daniel seconded the motion to continue the request until the next meeting in order to give staff time to look into possible solutions other than rezoning the property. The motion passed unanimously.

3. Sumer Rivas
421 Waugh Rd
LaGrange, GA 30240

LOCATION: 1179 Youngs Mill Rd, LaGrange

REQUEST: Rezone 1+/- acre to General Commercial from Single-Family Medium Density.

The next agenda item was by applicant Sumer Rivas to rezone the parcel located at 1179 Youngs Mill Road from Single Family Medium Density to General Commercial, for opening an industrial insulation installation business. It was noted that this location did require a Quality Development Corridor site plan review. Mr. Robert Scott spoke regarding the rezoning request as he had concerns about the driveway being too close to his property. He also stated that he and Mr. Rivas had discussed the possibility of Mr. Rivas installing a privacy fence along the north property boundary. Speaking from the audience through his representative, Connie Stothard of Stothard Engineering, Mr. Rivas agreed to the fence along the northern property boundary during the hearing. Mr. Scott also discussed his issue with the proximity of the driveway to his on Youngs Mill. The BZA/PC made a motion by Steve Daniel and seconded by Charles Milligan to recommend approval of the rezoning to the Board of Commissioners.

VI. QDC REVIEW

4. Sumer Rivas
421 Waugh Rd
LaGrange, GA 30240

LOCATION: 1179 Youngs Mill Rd, LaGrange

REQUEST: Consideration of QDC site plan with variances, pending rezoning (listed on plan)

An application for Quality Development Corridor (QDC) Overlay approval was submitted with the rezoning application. The QDC application involved a lengthy discussion about the existing driveway on Youngs Mill Road and the possibility of a driveway on Waugh Road. The County Engineer, James Emery, stated that there were potential problems with the driveway onto Youngs Mill Road and made several suggestions as to possible remedies and asked the BZA/PC to take his suggestions under advisement. Additional discussion ensued regarding the property and how the QDC requirements could be met with some revisions to the submitted site plan. Sandy Winslow suggested plan changes of curb and gutter with gravel parking (for a pervious surface) similar to the Moore QDC approved in 2009. Steve Daniel made a

motion to continue the QDC until the next meeting in order to give Mr. Emery and the design professional the opportunity to work out a solution to storm water control and driveway issues. Sandy Winslow seconded the motion. The motion passed by a unanimous vote of the board members present.

5. Charles Copeland
2779 Pine Lake Dr
West Point, GA 31833

LOCATION: 8984 Hamilton Rd, Pine Mountain

REQUEST: Consideration of QDC site plan with variances, pending rezoning (listed on plan)

The last item on the agenda was consideration of a QDC site plan for Mr. Charles Copeland for a property located at 8984 Hamilton Road, Pine Mountain to be used as an insurance business. Mr. Copeland's application was reviewed and Nancy Green suggested that Mr. Copeland plant some additional small trees and dwarf shrubbery along the eastern property line (existing picket fence). The motion made by Sandy Winslow to approve the QDC site plan with the addition of the small trees/shrubs with otherwise requested variances and the requirement to install the appropriate address display. The motion was seconded by Steve Daniel. The QDC was approved by a unanimous vote of the members present.

VII. SUBDIVISION REVIEW

NONE

VIII. TEXT AMENDMENT

NONE